

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) CRIMINAL NO. 19-CR-3113 JB
)
)
JANAYA ATENCIO,)
)
Defendant.)

UNOPPOSED MOTION TO DISMISS THE INDICTMENT WITHOUT PREJUDICE

Pursuant to Rule 48, Fed. R. Crim. P., the United States of America respectfully moves the Court to dismiss the Indictment in this case, without prejudice, against Defendant JANAYA ATENCIO, and in support states as follows:

The Defendant, having successfully completed pretrial diversion program on August 17, 2023, the Indictment against Defendant JANAYA ATENCIO should be dismissed in the interests of justice.

Counsel for Defendant, Megan Mitsunaga, does not oppose this motion.

Wherefore, the United States requests the Court dismiss the Indictment without prejudice against Defendant JANAYA ATENCIO.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
United States Attorney

Electronically filed

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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to opposing counsel of record.

Electronically filed
ELAINE Y. RAMIREZ
Assistant United States Attorney